IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

TUESDAY, THE 7TH AUGUST 2007 / 16TH SRAVANA 1929

WP(C).No. 23988 of 2007(S)

OA.88/2007 of CENTRAL ADMINISTRATIVE TRIBUNAL,ERNAKULAM BENCH
.....

PETITIONER:

P.C.NARAYANAN,
AGED 36 YEARS, S/O CHATHUNNY P.
INSPECTOR OF POST OFFICES (PG), (OFFICIATING)
MANJERI, MANJERI DIVISION, RESIDING AT
MAMPAYIL HOUSE,
AMARAMBALAM SOUTH P.O. VIA
VANIAYAMBALAM, MALAPPURAM DISTRICT

BY ADV. SRI.M.A.SHAFIK

RESPONDENTS:
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1. UNION OF INDIA, REP. BY THE POST MASTER GENERAL
NORTHERN REGION, CALICUT

2. THE SUPERINTENDENT OF POST OFFICES,
MANJERI DIVISION, MANJERI,

3. P.J.JAMES, POSTAL ASSISTANT (TBOP)
PERINTHALMANNA MDG, PERINTHALMANNA

BY ADV. SRI.T.SANJAY, CGC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & V.K.MOHANAN, JJ

W.P.(C). 23988/2007

Dated this the 7th day of August, 2007

JUDGMENT

Radhakrishnan, J.

We find no error in the view taken by the Tribunal. Ad-hoc promotion is made on the basis of seniority-cum-fitness, not seniority-cum-merit. PMG has taken a decision to promote senior most person, since the criterion for promotion to the post is "seniority cum fitness". There is nothing to show that the third respondent was unfit to be promoted. In such circumstances, we find no illegality in the view taken by the Tribunal.

Therefore, the petition is dismissed.

K.S.RADHAKRISHNAN
Judge

V.K.MOHANAN
Judge

mrcs